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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	Case No. 1:23-mj-00140-SAB
	)	
<i>Plaintiff,</i>	)	<b>APPLICATION AND ORDER</b>
	)	<b>APPOINTING CJA PANEL COUNSEL</b>
vs.	)	
	)	
MICHAEL ANTHONY GARCIA,	)	
	)	
<i>Defendant,</i>	)	
	)	
	)	

Defendant, Michael Anthony Garcia, through the Federal Defender for the Eastern District of California, hereby requests appointment of counsel.

In a criminal complaint filed November 21, 2023, the government has charged Mr. Garcia with one count of violating 36 C.F.R. § 261.10(c) by allegedly offering for sale any merchandise or conducting any kind of work activity or service unless authorized, and one count of violating 36 C.F.R. § 261.10(k) by allegedly using or occupying National Forest System land or facilities without special use authorization. Mr. Garcia faces up to 6 months in custody on each count. Mr. Garcia has been issued a summons to appear on January 18, 2024. Counsel is needed in advance to facilitate his initial appearance on January 18, 2024.

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1 Mr. Garcia submits the attached Financial Affidavit as evidence of his inability to retain  
2 counsel. After reviewing his Financial Affidavit, it is respectfully recommended that counsel be  
3 promptly appointed in advance to facilitate the hearing.

4 DATED: December 15, 2023

/s/ Eric V. Kersten

ERIC V. KERSTEN

Assistant Federal Defender

Branch Chief, Fresno Office

7  
8 **ORDER**

9 Having satisfied the Court that the defendant is financially unable to retain counsel, the  
10 Court hereby appoints counsel be promptly appointed, pursuant to 18 U.S.C. § 3006A.

11 IT IS SO ORDERED.

12  
13 Dated: December 15, 2023

/s/ Barbara A. McAuliffe

UNITED STATES MAGISTRATE JUDGE